

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
Eastern Division**

J&J SPORTS PRODUCTION, INC.,)
Plaintiff,)
v.) **No. 09 CV 2619**
SERGIO LOMELI, indiv. and d/b/a) **Honorable Blanche M. Manning**
LOMELI'S VENTURE INC. d/b/a RANCHO)
NUEVO RESTAURANT, and LOMELI'S,)
VENTURE INC. d/b/a RANCHO NUEVO) **Magistrate Judge Cox**
RESTAURANT,)
Defendants.)

PLAINTIFF'S MOTION TO REINSTATE AND FOR JUDGMENT

NOW COME the Plaintiff, J&J SPORTS PRODUCTIONS, INC., by and through its attorneys, ZANE D. SMITH & ASSOCIATES, LTD., and respectfully requests that this Court Reinstate this matter against Defendants, SERGIO LOMELI, indiv. and d/b/a LOMELI'S VENTURE INC. d/b/a RANCHO NUEVO RESTAURANT, and LOMELI'S VENTURE INC. d/b/a RANCHO NUEVO RESTAURANT, and enter an Order for Judgment, and in support thereof, states as follows:

1. That on April 1, 2010, this matter was dismissed by this Honorable Court, pursuant to settlement, without prejudice and with leave to reinstate on or before February 1, 2011.
2. That a Settlement Agreement was entered into by both parties wherein which the Defendant would pay a total of \$7,000.00 to the Plaintiff with a down payment of \$1,500.00 to be made on March 1, 2010 and payments in the amount of \$750.00 to be paid thereafter on the first of each month starting April 1, 2010 and continuing throughout January 1, 2011, until the total amount was paid in full. See attached Exhibit A.
3. That the last payment received by Plaintiff was on June 30, 2010, and therefore, pursuant to the signed Settlement Agreement, the Defendants are in default.
4. Plaintiff has attempted numerous times to contact counsel for Defendants, Daniel C. Shapiro, regarding the default in the payment schedule by his clients, however, no response has been made. See attached correspondence as labeled as Exhibit B.

5. That pursuant to the Settlement Agreement Defendant currently owes Plaintiff a total amount of \$4,000.00 plus attorneys fees in the amount of \$562.50. See attached Exhibit C.

WHEREFORE, Plaintiff, J&J SPORTS PRODUCTIONS, INC., prays this Honorable Court enter an order to Reinstate this case against Defendants, SERGIO LOMELI, indv. and d/b/a LOMELI'S VENTURE INC. d/b/a RANCHO NUEVO RESTAURANT, and LOMELI'S VENTURE INC. d/b/a RANCHO NUEVO RESTAURANT, and enter an Order for Judgment in the amount of \$4,000.00 plus attorneys fees in the amount of \$562.50, and for any additional relief for Plaintiff this Honorable Court deems just.

//s/Andre Ordeanu

Andre Ordeanu

CERTIFICATE OF SERVICE

I, Andre Ordeanu, on oath state that a true and correct copy of the Notice of Filing was electronically filed with the Clerk of the Court on January 20, 2011, using the CM/ECF system which will send notification of such filing(s) to all attorneys of record. Under the penalties of perjury, I certify that the above statements set forth herein are true and correct.

//s/ Andre Ordeanu

Andre Ordeanu

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